

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

S.O., by and through her mother and
and next friend, LEAH PIRES,

Plaintiff,

v.

UNITED STATES of AMERICA,

Defendant.

Civil Action No.
15-11789-FDS

ORDER CONCERNING SETTLEMENT AGREEMENT

SAYLOR, J.

The parties in this matter entered into a settlement agreement in principle on May 8, 2017. Because plaintiff is a minor, a hearing was held on June 16, 2017, before this Court to approve the settlement pursuant to Mass. Gen. Laws ch. 231. Immediately following the hearing, the parties executed a document titled “Stipulation for Compromise Settlement and Release of Federal Tort Claims Act Claims Pursuant to 28 U.S.C. § 2677.” Included in the settlement agreement was a provision specifying that the government would purchase an annuity on plaintiff’s behalf. The government disbursed the settlement payment in late July 2017.

However, on November 6, 2017, the government, represented by Assistant U.S. Attorney Jessica Driscoll, received an annuity contract and executed settlement agreement from Summit Settlement Services. AUSA Driscoll states that she had never before seen the annuity contract. In addition, the text of the attached settlement agreement did not match that of the agreement executed on June 16, 2017. Although AUSA Driscoll had never signed either of the two documents she received in November 2017, both purport to bear her signature. There is,

accordingly, cause to believe that the signature is a forgery.

Accordingly, the government's motion for an order to show cause is GRANTED.

Plaintiff is hereby ORDERED to provide a complete explanation in writing, on or before January 12, 2018, as to the following:

1. The origination of the annuity contract and executed settlement agreement received by AUSA Driscoll on or about November 6, 2017 (filed under seal as Exhibit B to Docket No. 80);
2. The identities of the individuals who signed the two documents in Exhibit B, and when the documents were signed;
3. A full accounting of the disbursement made by the government in late July 2017; and
4. Any other facts or circumstances explaining the discrepancies identified by the government in its motion to show cause.

So Ordered.

Dated: January 5, 2018

/s/ F. Dennis Saylor
F. Dennis Saylor IV
United States District Judge